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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 20-480-1-6 WHA
)	
Plaintiff,)	STATUS REPORT AND STIPULATION TO
)	CONTINUE STATUS AND EXCLUDE TIME
v.)	UNTIL JUNE 22, 2021 AND [PROPOSED] ORDER
)	
Emilson Jonathan CRUZ Mayorquin,)	
a/k/a "Playboy";)	
LEYDIS Yaneth Cruz;)	
Pamela CARRERO,)	
a/k/a "Nicole,")	
a/k/a "Kendra";)	
IVAN Mauro Cruz Mayorquin,)	
a/k/a "Mauro Ivan Cruz Mayorquin";)	
Ana MALDONADO;)	
Adonis TORRES;)	
)	
Defendants.)	

The parties in above-captioned case are scheduled to appear before the Court on April 13, 2021 for a status hearing. In lieu of the hearing, the parties submit this joint status report and ask the Court to continue the hearing until June 22, 2021. In addition, the parties jointly agree and request that the Court exclude time under the Speedy Trial Act between April 13, 2021 and June 22, 2021.

STATUS REPORT AND STIP. TO CONTINUE HRG. AND EXCLUDE TIME
AND [PROPOSED] ORDER
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1 As the Court may recall, this case involves allegations of drug trafficking. The underlying
2 investigation involved two rounds of wiretap interceptions and numerous purchases of narcotics by an
3 undercover agent. Discovery in the case is voluminous and significant portions are in Spanish. To date,
4 the government has produced the following: recordings of the intercepted calls, English summaries of
5 those calls, law enforcement reports summarizing portions of the underlying investigation, audio and
6 video documenting the undercover purchases, laboratory reports, photographs relating to the execution
7 of search warrants at the time of the defendants' arrests, and pleadings underlying the Court-ordered
8 wiretaps.

9 The government continues to process and produce discovery, including location data associated
10 with cellular phones and vehicle trackers. Due to the volume of material, the government has produced
11 discovery in batches to expedite getting materials to the defendants.

12 Defense counsel continue to review the discovery and discuss the case with their respective
13 clients. In addition, counsel are identifying materials that may require translation as most of the
14 defendants' first language is Spanish. Individual defense counsel have communicated with the
15 government regarding requests for additional discovery.

16 Finally, discussions regarding pretrial resolutions have begun, but all parties anticipate needing
17 additional time to continue those discussions, particularly as defense counsel continue to investigate the
18 case.

19 At this time, the parties jointly agree and request that the status conference scheduled for April
20 13, 2021 be continued until June 22, 2021. The government and counsel for the defendants stipulate and
21 agree that time should be excluded under the Speedy Trial Act from April 13, 2021 through June 22,
22 2021. The exclusion is appropriate considering the volume of discovery, which defense counsel
23 continue to review. In addition, counsel will need to have portions of the discovery translated in order to
24 advise their clients. For these reasons, the parties stipulate and agree that excluding time until June 22,
25 2021 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
26 further stipulate and agree that the ends of justice served by excluding the time from April 13, 2021
27 through June 22, 2021 from computation under the Speedy Trial Act outweigh the best interests of the
28

1 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

2 The undersigned Assistant United States Attorney certifies that she has obtained approval from
3 counsel for the defendants to file this stipulation and proposed order.

4
5 IT IS SO STIPULATED.

6 DATED: April 12, 2021

_____/s/
SAILAJA M. PAIDIPATY
Assistant United States Attorney

8
9 DATED: April 12, 2021

_____/s signed with permission_____
ELISSE M. LAROCHE
Counsel for Emilson Cruz Mayorquin

10
11 ____/s signed with permission_____
GEORGE BOISSEAU
Counsel for Leydis Yaneth Cruz

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13 ____/s signed with permission_____
KENNETH WINE
Counsel for Pamela Carrero

14
15 ____/s signed with permission_____
JAMES P. VAUGHN
Counsel for Ivan Cruz Mayorquin

16
17 ____/s signed with permission_____
KAREN MCCONVILLE
Counsel for Ana Maldonado

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19 ____/s signed with permission_____
BRIAN BERSON
Counsel for Adonis Torres

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21
22
23 **[PROPOSED] ORDER**

24 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
25 status hearing in the above-captioned case is continued until June 22, 2021. The Court further finds that
26 failing to exclude the time from April 13, 2021 through June 22, 2021 would unreasonably deny defense
27 counsel and the defendant the reasonable time necessary for effective preparation, taking into account

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1 the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court finds that the ends of justice
2 served by excluding the time from April 13, 2021 through June 22, 2021 from computation under the
3 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore,
4 and with the consent of the parties, IT IS HEREBY ORDERED that the time from April 13, 2021
5 through June 22, 2021 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. §
6 3161(h)(7)(A), (B)(iv).

7 IT IS SO ORDERED.

8
9 DATED: _____

HON. WILLIAM H. ALSUP
United States District Judge